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Attorney Docket No.: 022176-000610US Client Reference No.: ISM-006CNT

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TOWNSEND and TOWNSEND and CREW LLP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ADNAN SHENNIB et al.

Application No.: 10/052,199

Filed: January 16, 2002

For: DISPOSABLE EXTENDED WEAR

CANAL HEARING DEVICE

Examiner: DIONNE HARVEY

Art Unit: 2643

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

ADNAN SHENNIB et al. Application No.: 10/052,199 Page 2

PATENT

This Information Disclosure Statement is being filed before the mailing date of the final Office Action or Notice of Allowance.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin Reg No. 29,541

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PTO/SB/08B (08-03)

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| | | AN DIC | A1 AA11DE | Application Number | 10/052,199 | |
| INFORMATION DISCLOSURE | | | | Filing Date | January 16, 2002 | |
| STATEMENT BY APPLICANT | | | PPLICANT | First Named Inventor | SHENNIB, ADNAN | |
| | | | | Art Unit | 2643 | |
| (| (use as many sheets as necessary) | | | Examiner Name | DIONNE HARVEY | |
| Sheet | 1 | of | 2 | Attorney Docket Number | 022176-000610US | |

| | U.S. PATENT DOCUMENTS+ | | | | | |
|----------|------------------------|---|--------------------------------|--|---|--|
| | | Document Number | Date de Britania | N | , | |
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| | AA | US-9,594,514 | 07-20-1971 | Wingrove | | |
| | Αß | US-3,764,748 | 10-09-1973 | Branch et al. | | |
| | AC | US-3,870,832 | 03-11-1975 | Fredrickson | | |
| | AD | US-3,882,285 | 05-06-1975 | Nunley et el. | | |
| | AE | UŞ-4,505,329 | 08-19-198B | Hough | | |
| | AF | US-4,628,907 | 12-16-1986 | Epley | | |
| | AG | US-4,756,312 | 07-12-1988 | Epley | | |
| | AH | US-4,776,322 | 10-11-1988 | Hough et al. | | |
| | A) | US-4,817.607 | 04-04-1989 | Talge | | |
| | AJ | US-4,840,178 | 06-20-1989 | Heide et al. | | |
| | AK | US-4,957,478 | 08-18-1890 | Manigila | | |
| | AL | US-5,015,224 | 05-14-19 9 1 | Manigila | | |
| | AM | US-5,015,225 | 0414-1991 | Hough et al. | | |
|] | AN | US-5,163,957 | 11-17-1992 | Sadé et al. | | |
| | QA | US-5,220,918 | 06-22-1993 | Heide et al. | | |
| | AP | US-5,259,032 | 11-02-1993 | Perking et al. | | |
| | AΩ | US-5,282,858 | 02-01-1994 | Bisch et al. | | |
| | AR | US-5,938,287 | 08-16-1994 | Miller et al. | | |
| | AŞ | US-5,425,104 | 06-13-1995 | Shennib | | |
| | AT | US-5,456,854 | 10-13-1995 | Ball | | |
| | AU | US-5,531,787 | 07-02-1996 | Leshoki et a). | | |
| | AV | US-5,554,096 | 09-10-1996 | Ball | | |
| | AW | US-5,624,376 | 04-29-1997 | Ball et al, | | |
| | AX | US-5,654,530 | 08-05-1997 | Sauer et al. | | |
| | AY | US-5,682,020 | 10-28-1997 | Oliveira | | |
| | AZ | US-5,701,348 | 12-23-1997 | Shennib et al. | | |
| | BA | US-5,833,826 | 11-10-1998 | Leysieffer | | |
| | 99 | US-5,730,699 | 03-24-1998 | Adams et al. | | |
| | BC | US-6,408,081 B1 | 06-18-2002 | Bossen | | |
| | BD | US-6,620,110 B2 | 09-16-2003 | Schmid | | |
| | BE | US-6,643,378 B2 | 11-04-2003 | Schumaier | | |
| | 8F | US-6,648,613 B2 | 11-16-2003 | Zliperman et al. | | |
| | BG | US-6,658,126 B1 | 12-02-2003 | Stem | | |
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| INFO | | ı nic | CI OCUBE | Application Number | 10/052,199 | |
| | INFORMATION DISCLOSURE | | | Filing Date | January 16, 2002 | |
| STATEMENT BY APPLICANT | | | PPLICANI | First Named Inventor | SHENNIB, ADNAN | |
| | | | | Art Unit | 2643 | |
| (use as many sheets as necessary) | | | s necessary) | Examiner Name | DIONNE HARVEY | |
| Sheet | 2 | of | 2 | Attorney Docket Number | 022176-000610US | |

| FOREIGN PATENT DOCUMENTS | | | | | | | | |
|--------------------------|--------------|---|---------------------|----------------------|--------------------------------|------------------------------|--|----|
| Examiner Initele* | Cite No." | Foreign Patent Document | | | • , | Name of Petentee or | Pages, Columns, Lines, | 1 |
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| | вн | Chasin, Marshall, CIC Handbook, Singular Publishing Group, Inc., (1997) pp. 12-14, 17-18, 27-28, 44, 56-58, 65-68. | | | | |
| | 6) | Oliveira, Robert J., Navarro, Richard, "The Wax Problem: Two New Approaches," The Hearing Journal (August 1993) Vol. 46, No. 8, pp. 41-46. | | | | |
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